

I. Pattison, administrator *de bonis non* of James Pattison, against Walter Harrison.

The bill states, that the late James Pattison being seized in fee simple of a tract of land, called Hunt's Mount, the one-half of which he held to his own use, and the other half in trust for the use of the late John Westeney; that they sold it in the year 1787, for the sum of £640, to the defendant, who stipulated by bond to pay for it before the first of September, 1790; that they delivered the possession of it to the defendant on the 24th of December, 1787, who has held and enjoyed it ever since; that a small part of the purchase money had been paid, for which credit had been given; and, that there remained due, at the time of the death of the vendors, Pattison and Westeney, the sum of £555, for principal and interest, which has not been since paid; and which the defendant had failed or refused to pay.

Whereupon the bill prayed, that the defendant might be ordered to account with the plaintiffs concerning the balance of the purchase money, and be compelled to satisfy the same; that is to say, one-half to the plaintiff Moreton, and the other half to the plaintiff Pattison; or in default thereof, that the land be sold; and that the plaintiffs might have such further and other relief in the premises as might be consistent with the principles of equity.

On the first of July, 1826, the defendant put in the following pleas on oath; but without any answer whatever.

"The plea of Walter Harrison of Anne Arundel County to the
492 * bill of complaint of Joseph Moreton, administrator *de bonis non* of John Westeney, and James I. Pattison, administrator *de bonis non* of James Pattison.

"This defendant, by protestation to all the discoveries and relief in and by the said bill sought from or prayed against this defendant. for plea unto the said bill, saith; That if John Westeney deceased, and James Pattison deceased, or the complainants, as administrators *de bonis non* of them, the said John Westeney and James Pattison in the bill named, ever had any cause of suit against this defendant, for or concerning any of the matters or transactions in the said bill of complaint mentioned, the same did arise above twelve years before filing the said bill, and above twelve years before serving this defendant with any process to appear to answer the same.

"And this defendant further for plea says and doth aver, that this defendant did not at any time within twelve years before filing the complainants' said bill of complaint, nor within twelve years before this defendant was served with process to appear and answer thereto, ever promise and agree, or in any manner bind himself to pay or satisfy the said John Westeney and James Pattison in their lives, or the said complainants as administrators *de bonis non* of the said John Westeney and James Pattison the sum of money men-